

Application No. 10/709,789
Amendment dated October 16, 2007
Reply to Office Action of July 16, 2007

Docket No.: 5413-0181PUS1

REMARKS

Applicant thank the Examiner for the thorough consideration given the present application. Claims 1-14 are currently being prosecuted. The Examiner is respectfully requested to reconsider her rejections in view of the remarks as set forth below.

Specification

The Examiner rejected the Specification due to a misspelling in paragraph [0017]. By way of the present amendment, Applicant has corrected this spelling error.

Rejection Under 35 U.S.C. 103

Claims 1-3 and 8-10 stand rejected under 35 U.S.C. 103 as being obvious over Yi, et al. (US Published Application 2003/0007459) in view of Meyer, et al. (US Published Application 2004/0148546). Similarly, claims 4-7 and 11-14 stand rejected under 35 U.S.C. 103 as being obvious Yi, et al. in view of Meyer, et al. These rejections are respectfully traversed.

The Examiner states that Yi, et al. shows a method for retransmitting information by comparing a number of transmissions with a critical value when the transmission has successively failed. The sender RLC layer receives the state information and retransmits the RLC PDU, which requires retransmission. When a positive response about the corresponding reset PDU is not received, the value of the VT (RST) is increased by one. This value is compared with a critical value. When the critical value is reached, this is reported. The Examiner admits that Yi, et al. fails to specifically show that when the receiver sends a status report, it is blocked from sending another report for a predetermined time.

The Examiner relies on Meyer, et al. to show the transmission of data packets from a transmitter to a receiver and a first status message indicates that defective data packets are sent. The status prohibit timer prevents the sending of status reports for a certain amount of time. The Examiner feels it would have been obvious to include a Timer_Status_Prohibit to be used as a receiver as taught by Meyer, et al. in the method of Yi, et al.

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Applicant disagrees that the present claims are obvious over this combination of references.

First, it is noted that claim 1 includes the limitations of "the receiver transmitting at least a receiving status report to the sender" and "blocking the receiver from outputting another receiving status report to the sender for a first predetermined period of time, called P1". Claim 1 further specifies that a first timer is started "for clocking a second predetermined period of time, called P2". P1 is not less than the result of P2 multiplied by M.

The Examiner admits that Yi, et al. does not disclose that when a receiver sends a status report, it is blocked from sending another report for a predetermined time. Thus, Yi does not teach the predetermined period of time P1.

Meyer teaches the use of a status prohibit timer for prohibiting "the sending of status reports for a certain amount of time. If the Status Prohibit Timer is set higher than the RLC round trip time, unnecessary retransmissions are prevented" (paragraph 0007). The purpose of the Status Prohibit Timer is to eliminate unnecessary retransmissions by waiting longer for acknowledgement before sending out a duplicate status report. By adjusting the value of the Status Prohibit Timer to be at least the round trip time between the transmitter and the receiver, the status prohibit timer was able to allow adequate time for acknowledgements to be received.

Paragraph 0014 of Meyer, et al. teaches that the round trip time can be represented by a constant value of a counter. Paragraph 0073 states that a status message is sent by the receiver every x_0 PDUs, i.e. the timing unit is a packet counter determining the sending of the status messages. The time between two status messages is $ST = x_0/r$, with r being the transmission rate of PDUs.

Although Meyer, et al. states that the Status Prohibit Timer can be used to delay the retransmissions of the status reports, Meyer, et al. does not teach that the first period of time P1, representing how long the receiver is blocked from outputting another receiving status report to the sender, is not less than the result of the second period of time P2, representing how often a

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sender can output a RESET PDU to the receiver, multiplied by M , representing a limit on the number of transmission of the reset PDUs. Further, Meyer does not provide any motivation for making the period of the Status Prohibit Timer greater than or equal to the value of the period of Timer_RST multiplied by MaxRST . It would not be obvious for one having ordinary skill in the art to use this value for the Status Prohibit Timer because Meyer, et al. addresses a different problem than the present invention. Meyer, et al. only requires that the Status Prohibit Timer represent the round trip time between the transmitter and the receiver. It does not teach that the timer prevents the sender from outputting a RESET PDU when receiving a status report after a RESET PDU has already been set. Meyer, et al. does not teach this feature and since the Examiner has admitted that Yi, et al. does not teach this feature, Applicant submits that claim 1 is allowable.

Claim 8 is similar to claim 1 and contains the limitation of the communication interface blocking the receiver from outputting another status report for a second period of time, where $P2$ is not less than $P1$ multiplied by M . Again, since the combination of Yi, et al. and Meyer, et al. does not teach this limitation, Applicant submits that claim 8 is similarly allowable.

Claims 2, 3, 9 and 10 depend from allowable claims 1 and 8 and are also considered to be allowable. In addition, each of these claims recite other features that make them additionally allowable.

Similarly, claim 4 recites the limitation of controlling the sender to ignore a second status report and the reset procedure is ongoing. The Examiner has recognized that Yi, et al. does not teach this feature.

Meyer, et al. teaches that the retransmission prohibit time RPT1 is used to prevent the same PDU with $\text{SM} = 2$ from being retransmitted within a period of time indicated by the timer RPT1 . Although Meyer, et al. teaches that a request for retransmission of $\text{SM} = 2$, included in the status report S_{12} is not granted, Meyer does not teach that the sender ignores a status report output from the receiver when a reset procedure is ongoing. The objective of Meyer, et al. is to

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prevent the same PDU from being unnecessarily retransmitted multiple times. Meyer, et al. does not teach that the second status report is ignored to prevent the sender from outputting a reset PDU when receiving a status report because the reset procedure has been started and is still ongoing. Accordingly, Applicant submits that claim 4 is similarly allowable over Yi, et al. and Meyer, et al.

Claim 11 recites the limitations of a decision logic electrically connected to the communication interface for recognizing the reset procedure as ongoing before the communication interface receives a RESET ACK PDU outputted from the receiver and the decision logic controls a communication interface to ignore the second status report when the reset procedure is ongoing. Similar to claim 4 above, the combination of Yi, et al. and Meyer, et al. does not teach these limitations. Accordingly, claim 11 is also considered to be allowable.

Claims 5-7 and 12-14 depend from allowable claims 4 and 11 and accordingly are also considered to be allowable. Further, each of these claims recite other features that make them additionally allowable.

Conclusion

In view of the above remarks, it is believed that claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejection and allowance of all the claims is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

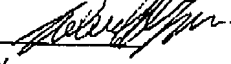
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If necessary, the Commissioner is heroby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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